

**MOORE COUNTY PLANNING BOARD
THURSDAY, AUGUST 6, 2020 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIENCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)

Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of July 2, 2020
- C. Consideration of Abstentions

III. ELECTION OF VICE-CHAIR

IV. PUBLIC HEARINGS

- 1. **General Use Rezoning Request: Rural Agricultural-CUD (Farm Use) to Rural and Agricultural-40 (RA-40) – Debra Ensminger**

V. PLANNING DEPARTMENT REPORTS - Debra Ensminger

VI. BOARD COMMENT PERIOD - Chairman

VII. UPCOMING EVENTS

- Tuesday, August 18, 2020 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- Wednesday, August 19, 2020 3:00 PM Transportation Advisory Board Meeting to be held at the Rick Rhyne Building EOC Office
- Tuesday, September 1, 2020 10:30 AM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, September 3, 2020 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**

VIII. ADJOURNMENT

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **given** to the County.*

Please see attached procedures for the Public Comment Period and public comment during Public Hearing

**PUBLIC COMMENT PROCEDURES
MOORE COUNTY PLANNING BOARD**

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign-up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.

MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

**MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, JULY 2, 2020 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

The Moore County Planning Board recessed a portion of the June 4, 2020 meeting until July 2, 2020 for the Planning Board to make a decision.

Board Members Present

Joe Garrison (Chairman), Harry Huberth (Vice Chairman), Bobby Hyman, John Matthews, Jeffrey Gilbert

Board Members Absent: John Cook, Matthew Bradley, Eddie Nobles

Staff Present

Debra Ensminger, Planning Director; Tron Ross, Associate County Attorney;
Dervin Spell, Planner; Stephanie Cormack, Administrative Officer

CALL TO ORDER

Chairman Joe Garrison called the meeting to order at 6:00 pm.

INVOCATION

Chairman Bobby Hyman offered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Joe Garrison led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Vice Chairman Harry Huberth read the Moore County Mission Statement.

A portion of this meeting was a continuation of the regular scheduled Planning Board Meeting of June 4, 2020.

The following Public Hearing was recessed until July 2, 2020 for the Planning Board to make a decision.

PUBLIC HEARING ACTION ITEM

Public Hearing #1 – Unified Development Ordinance Text Amendments – Highway Corridor Overlay District – Debra Ensminger

A Public Hearing was held and closed on June 4, 2020 at 8:03pm; written comments from the public were accepted until 8:03pm on June 5, 2020. No additional comments were received during this time frame.

With no further public comments Chairman Garrison asked staff to discuss the item.

Planning Director Debra Ensminger provided the board with an overview of inclusions within the agenda packet as requested by the board during the June 4, 2020 with the exception of window design standards which was up for further discussion.

Minor discussion was held between board members and provided the following comments:

- Chairman Garrison expressed he was not in favor of window design standards fearing the change may be too stringent.
- Board Member Gilbert expressed he was in favor of window design standards as originally written and presented during the June 4, 2020 meeting not only on the cosmetic side but also on the safety side.
- Board Member Huberth expressed he was in favor of window design standards and an upgrade to the ordinance would provide clear direction for future developers.
- Board Member Matthews expressed he was not in favor of window design standards and feels what is currently in place is working fine.
- Board Member Gilbert expressed he feels these standards will promote additional business who want to develop in the area interested in a specific cosmetic appeal.
- Board Member Hyman expressed he was in favor and felt the consistency would be good.

Chairman Garrison requested Ms. Ensminger to provide the board with clarification why the window design standards were updated.

Ms. Ensminger explained to the board there was interest among staff and local municipalities to improve on the main corridor entrances in an effort to remain consistent throughout the county when traveling down these corridors. Ms. Ensminger explained prior to drafting the language a meeting was held with all municipalities to obtain input.

With no further comments Chairman Garrison requested staff to move forward with the inclusion of window standards.

With no further comments Vice Chair Huberth made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Jeffrey Gilbert; the motion passed unanimously 5-0.

Board Member Bobby Hyman made a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendments to the Moore County Unified Development Ordinance. The motion was seconded by Board Member Bobby Hyman; the motion passed unanimously 5-0.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of June 4, 2020
- C. Approval of Minutes of June 11, 2020
- D. Consideration of Abstentions

Vice Chair Huberth made a motion for approval of the consent agenda. Board Member Bobby Hyman seconded the motion and the motion passed unanimously 5-0.

PUBLIC HEARING

Public Hearing #1 – Conditional Rezoning Request: Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ)-Shopping Center-Debra Ensminger

Planning Director presented a request by 4D Site Solutions, Inc. requesting a Conditional Rezoning from Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ) for a shopping center located on Parcel ID 00014200, approximately 1.71 acres located at 7627 NC Hwy 211, West End, owned by Bernie Schaub per Deed Book 4827 Page 215.

Ms. Ensminger went over the item as presented within the packet mentioning to the board a community meeting was held as required per the ordinance. During the community meeting the applicant was informed of the proposed changes to the Highway Corridor Overlay District. Since the community meeting Mr. Schaub has modified his site plan to reflect any proposed changes in order to come into compliance as proposed. Ms. Ensminger also mentioned to the board some opposition has been received regarding this request from the Pinewild Community.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

The following spoke during the Public Hearing:

- Bernie Schaub applicant, 20 Loch Lomond Ct. Pinehurst, NC; approached the podium expressing to the board he purchased the property some time back and is a resident in the Pinewild community. Mr. Schaub mentioned he currently does not have a tenant list and understands potential opposition as change is hard for some.

Ms. Ensminger reviewed the Table of Uses allowed within the packet mentioning the applicant has agreed to allowing only those highlighted in yellow and will be held to those uses under a conditional rezoning.

Minor discussion was held amongst the board regarding the power line easement buffering the Pinewild Community.

Board Member Matthews asked Mr. Schaub of his thoughts regarding opposition from the Pinewild Community.

Mr. Schaub explained to the board he was unaware of opposition and would like to review prior to comment.

- Chris Biebrich; 33 Glasgow Dr. Pinehurst, NC; approached the podium with the following concerns:
 - Traffic increase
 - Not consistent with surrounding areas
 - Egress/ingress not adequate
 - Landscaping not adequate
 - Impact of lights and increased traffic to the Pinewild Community
- Scott Brown surveyor/engineer, 409 Chicago Dr, Fayetteville, NC; explained to the board the current zoning listed is B-2 and does not intend to change the zoning only adding a conditional zoning and allowing only those uses as mentioned by County staff.

With no further discussion or public comments Chairman Garrison closed the public hearing.

Ms. Ensminger mentioned to the board if approval by the Moore County Board of Commissioners a Special Non-Residential Intensity Allocation (SNIA) will be brought before the Planning Board at a later date for review.

With no further comments Vice Chair Huberth made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member John Matthews; the motion passed unanimously 5-0.

Board Member John Matthews made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional Rezoning from Highway Commercial (B-2) to Highway Commercial Conditional Zoning (B2-CZ) for a shopping center located on an approximate 1.97 acre parcel located at 7627 NC Hwy 211, West owned by Bernie Schaub. The motion was seconded by Board Member Bobby Hyman; the motion passed unanimously 5-0.

Public Hearing #2 – Conditional Rezoning Request: Residential and Agriculture-40 (RA-40) to Rural Agricultural Conditional Zoning (RA-CZ0-Mining - Dervin Spell

Planner Dervin Spell presented a request by Chad Harris requesting a Conditional Rezoning from Residential and Agriculture-40 (RA-40) to Rural Agricultural Conditional Zoning (RA-CZ) for a mining operation located at Parcel ID#00029785, the total being approximately 8.04 acres, located on Partridge Lane in West End, owned by Johnny Harris Trucking, Inc. per Deed Book 4453 Page 337.

Mr. Spell went over the items within the packet regarding the request.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

With no further discussion or public comments Chairman Garrison closed the public hearing.

With no further comments Vice Chair Huberth made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Bobby Hyman; the motion passed unanimously 5-0.

Board Member Bobby Hyman made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional Rezoning from Residential and Agriculture-40 (RA-40) to Rural Agricultural Conditional Zoning (RA-CZ) for a mining operation located at Parcel ID#00029785, the total being approximately 8.04 acres, located on Partridge Lane in West End,. The motion was seconded by Board Member John Matthews; the motion passed unanimously 5-0.

Public Hearing #3 – Conditional Rezoning Request: Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ)-Pallet Recycling and Production-Dervin Spell

Planner Dervin Spell presented a request by Reeder Pallet Company Inc.-Matthew Reeder requesting a Conditional rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) for a Pallet Recycling and Production Facility located on two properties: Parcel ID#95000361 and #00008792, the total being approximately 28.9 acres located at 2344 NC Hwy 705 and adjacent to West Side Rd., Robbins, owned by Sandhills Community College per Deed Book 3770 Page 106 and Deed Book 3231 Page 287.

Mr. Spell went over the items within the packet regarding the request.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

The following did not sign up to speak however requested to speak during the Public Hearing:

- Becky (no last name given) lives off of Hwy 705 had the following concerns:
 - Chemicals used on site for preserving wood
 - Termites and pesticides used
 - Traffic increase
 - Hours of operation
- Matthew Reeder applicant/owner 593 Dynasty Dr., Asheboro NC addressed the following concerns as mentioned by Becky:
 - No chemicals will be used to preserve the pallets, Reeder Pallet uses a heat treatment process.
 - A concrete pad will be placed on the property for outdoor storage of pallets.

- Reeder Pallet has a small fleet of tractor trailers and some lite increase of traffic will be seen. Mr. Reeder also mentioned he has been in contact the NCDOT to obtain a driveway approval, a traffic impact study was not recommended.
- Mr. Reeder mentioned the business is currently located in Seagrove NC, which plans to relocate to this site allowing the business to grow for future employment opportunities.
- Current hours of operation are Monday through Thursday; 10-hour days 5am-3pm; no weekends.

With no further discussion or public comments Chairman Garrison closed the public hearing.

With no further comments Board Member Bobby Hyman made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Vice Chair Harry Hubert, the motion passed unanimously 5-0.

Vice Chair Harry Huberth made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) for a Pallet Recycling and Production Facility located on two properties: Parcel ID#95000361 and #00008792, the total being approximately 28.9 acres located at 2344 NC Hwy 705 and adjacent to West Side Rd., Robbins. The motion was seconded by Board Member John Matthews, the motion passed unanimously 5-0.

Public Hearing #4 – Conditional Rezoning Request: Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) – Warehousing – Dervin Spell

Planner Dervin Spell presented a request by Marlene Hernandez requesting a Conditional Rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) for a warehouse located on a portion of Parcel ID#00009916, the total being approximately 4.15 acres out of approximately 23.01 acres, located at 126 mills Place, Biscoe, adjacent to Tarry Church Rd. S., owned by Ventura Cervantes Rubio, per Deed Book 4464 Page 20.

Mr. Spell went over the items within the packet regarding the request.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

With no further discussion or public comments Chairman Garrison closed the public hearing.

With no further comments Vice Chair Harry Hubert made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Bobby Hyman, the motion passed unanimously 5-0.

Board Member Bobby Hyman made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional Rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) for a warehouse located on a portion of Parcel ID#00009916, the total being approximately 4.15 acres out of approximately 23.01 acres, located at 126 mills Place, Biscoe, adjacent to Tarry Church Rd. S. The motion was seconded by Vice Chair Harry Huberth, the motion passed unanimously 5-0.

Public Hearing #5 – Conditional Rezoning Request: Rural Agricultural (RA) to Neighborhood Business Conditional Zoning (B1-CZ) – Retail (Firearms and Accessories Sales Facility) – Debra Ensminger

Planning Director Debra Ensminger presented a request by Tim Blakely requesting a Conditional Rezoning from Rural Agricultural (RA) to Neighborhood Business Conditional Zoning (B1-CZ) for a Retail/Fire Arms and Accessory Sales Facility located on approximately 15,246 square feet an approximate 1.2 acre parcel, Parcel ID#20090123, located at 1072 Stanton Hill Rd., Cameron, owned by Timothy Blakeley and Jeanette Johnson Blakeley per Deed Book 359 Page 1.

Ms. Ensminger went over the items within the packet regarding the request.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

The following did not sign up to speak however was asked to speak during the Public Hearing:

- Tim Blakely, owner/applicant, 1072 Stanton Hill Rd., Cameron; approached the podium.

Mr. Blakely explained to the board he lives at the property next to where he would like to open a retail firearms facility having 36' inch isles allowing for an easily accessible shopping experience for those with disabilities as well as being a female friendly business. The structure would be cosmetically appealing with similar features of his current residence.

Board Member Bobby Hyman inquired if Mr. Blakey has any plans for a future shooting range to be located on the property.

Mr. Blakely explained he would have no live firing on the property only retail sales.

Vice Chair Harry Huberth asked for further clarification why Mr. Blakely omitted the required screening requirements from one side of the property as per the County's Ordinance requirements and felt this may pose a long-term issue down the road if the property were to chance hands.

Mr. Blakey explained he did not intend to place screening as required due to the close proximity of his home.

Vice Chair Harry Huberth asked Mr. Blakely if he would agree to the following condition: Upon sale of the property he would install the required screen per the Moore County Unified Development Ordinance.

Mr. Blakey agreed to the said conditions upon sale of property.

With no further discussion or public comments Chairman Garrison closed the public hearing.

With no further comments Board Member John Matthews made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Bobby Hyman, the motion passed unanimously 5-0.

Vice Chair Harry Huberth made a motion to recommend approval to the Moore County Board of Commissioners of the Conditional Rezoning from Rural Agricultural (RA) to Neighborhood Business Conditional Zoning (B1-CZ) for a Retail/Fire Arms and Accessory Sales Facility located on approximately 15,246 square feet an approximate 1.2 acre parcel, Parcel ID#20090123, located at 1072 Stanton Hill Rd., Cameron, owned by Timothy Blakeley and Jeanette Johnson Blakeley with the condition upon sale of the property the Moore County screening requirements would become effective at that time.. The motion was seconded by Board Member Bobby Hyman, the motion passed unanimously 5-0.

Public Hearing #6 - Unified Development Ordinance Text Amendments - Statutory Updates - Debra Ensminger

Planning Director Debra Ensminger presented to the board the requested amendments as noted within the staff report.

1. Chapter 4 (Zoning Permits), Section 4.6 (Expiration) that zoning permits are valid for 1 year and that if the proposed moving, constructing, altering, repairing, or use of land, as set forth in an application for a zoning permit, is discontinued for a period of 2 years or more, the permit shall lapse and be of no further force and effect.
2. Chapter 9 (Nonconforming Situations), Section 9.2 (Continuation) to state if a legal nonconforming use is discontinued, as evidenced by the disconnection of electrical or utility service for a period of 2 years, any future use of the building, structure, or land shall comply with the provisions of this ordinance.
3. Chapter 11 (Conditional Rezoning), Section 11.2 (Application Process), Subsection F (Additional Conditions) that the applicant must consent in writing to the conditions in order for those conditions to be effective.
4. Chapter 12 (Conditional Use Permits), Section 12.2 (Application Process), Subsection C (Additional Conditions) that conditions and safeguards imposed shall not include taxes, impact fees, building design elements within the scope of NCGS 153A-340(l), and driveway related improvements in excess of those allowed in NCGS 136-18(29) and NCGS 160A-307. Design restrictions are

- permitted for commercial or multi-family development or with written consent from the property owner.
5. Chapter 13 (Appeals & Variances), Section 13.1 (Administrative Appeals), Subsection F (Standing) stating criteria used to determine whether an individual has standing to bring civil actions against administrative decisions.
 6. Chapter 13 (Appeals & Variances), Section 13.6 (Appeals to Court) updating the language to include the following sections: A. Quasi-Judicial Decisions, B. Circumventing the Board of Adjustments, C. Administrative Decisions, D. Time for Commencement of Action, and E. Fines Stayed During Appeal.
 7. Chapter 14 (Vested Rights), Section 14.2 (Development Permit) to add & describe the nature of development permits and relocate the Valid Building Permit section to 14.3.
 8. Chapter 14 (Vested Rights), Section 14.4 (Site Specific Development Plans & Phased Development Plans) to relocate the section and modify the following subsections: C. Site Development Plan, D. Phased Development Plan, E. Duration, and F. Termination.
 9. Chapter 14 (Vested Rights), Section 14.5 (Multi-Phased Developments) to add new section defining multi-phased developments.
 10. Chapter 14 (Vested Rights), Section 14.6 (Permit Choice) to relocate the section & to update the language to include purpose, expirations, subsequent development permits, and appeal process.
 11. Chapter 14 (Vested Rights), move Section 14.5 to Section 14.7 (Development Agreement) to be in proper sequence.
 12. Chapter 14 (Vested Rights), add Section 14.8 (Appeal) to refer to Section 13.6.
 13. Chapter 18 (Subdivisions), Section 18.13 (Performance Guarantees for Major Subdivisions), Subsection B (Duration) to define “duration.”
 14. Chapter 18 (Subdivisions), Section 18.13 (Performance Guarantees for Major Subdivisions) to move subsections to be in proper sequence.
 15. Chapter 19 (Definitions), Section 19.2, Definition (Development, Development Permit, Land Development Regulation) to amend the definition of “development,” and to define “development permit,” and “land development regulation.”
 16. Chapter 19 (Definitions), Section 19.2, Definition (Family) to amend the definition of “family.”

With no further questions from the board, Chairman Garrison opened the Public Hearing.

With no further discussion or public comments Chairman Garrison closed the public hearing.

With no further comments Board Member Bobby Hyman made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Vice Chair Harry Huberth, the motion passed unanimously 5-0.

Board Member Jeffrey Gilbert made a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County

Unified Development Ordinance. The motion was seconded by Board Member John Matthews, the motion passed unanimously 5-0.

PLANNING DEPARTMENT REPORTS

No Planning Department updates.

BOARD COMMENT PERIOD

Chairman Garrison thanked the board and staff for their commitment to attend the meeting.

ADJOURNMENT

With no further comments Board Member Bobby Hyman made a motion to adjourn the July 2, 2020 regular meeting. The motion was seconded by Board Member John Matthews; meeting adjourned at 6:40 p.m., the motion was held via role call; passed unanimously 7-0.

Respectfully submitted by,

Stephanie Cormack

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Department Director

DATE: July 7, 2020

SUBJECT: General Use Rezoning Request RA-CUD (Farm Use) (Rural
Agricultural – Conditional Use District) to Residential and
Agricultural – 40 District (RA-40)

APPLICANTS: Matthew & Jamie Encinosa (Tract 3)
165 Blues Siding Road
Carthage, NC 28327

Alex & Lara Hardy (Tract 4)
5646 NC 22 Hwy
Carthage, NC 28327

Michael & Judy Rowland (Tract 1)
185 Blues Siding Road
Carthage, NC 28327

PRESENTER: Debra Ensminger

REQUEST:

Matthew & Jamie Encinosa, Alex & Lara Hardy and Michael & Judy Rowland are requesting a General Use Rezoning Request of 42.94 acres (Tracts 1, 3 & 4) located on NC Hwy 22 and Blues Siding Road from Rural Agricultural – CUD (Farm Use) to Rural and Agricultural -40 (RA-40). The properties are further described as Par ID's #00036767 & #95000186 owned by Michael & Judy Rowland (Tract 1) per Deed Book 1118, Page 415 & Deed Book 1072, Page 111, Matthew & Jamie Encinosa (Tract 3) per Deed Book 5337, Page 91 and Alex & Lara Hardy (Tract 4) per Deed Book 5301, Page 400.

Public notification consisted of publishing a legal notice in the local newspaper for two consecutive weeks, notification by mail to adjacent property owners, and public hearing signs placed on the property.

BACKGROUND:

In 2002 the property owners Michael & Judy Rowland requested the property to be rezoned RA-CUD "Farm Use" to allow their family members to build several homes and to farm.

In January 2020, said property was subdivided. Tracts 3 & 4 were sold to non-family members. The owners of the properties including the Rowland's are requesting the properties return to their original zoning classification Residential and Agricultural – 40 (RA-40).

General Use Rezoning Request RA-CUD to RA-40 Staff Report

ZONING DISTRICT COMPATIBILITY

Tract 1, (27.03 acres), owned by Michael & Judy Rowland is currently developed with a single-family dwelling, pool, garage, and dwelling with stables. Tract 3, (9.69 acres), owned by Michael & Jamie Encinosa is currently undeveloped and tract 4, (6.22 acres), owned by Alex & Lara Hardy is currently undeveloped.

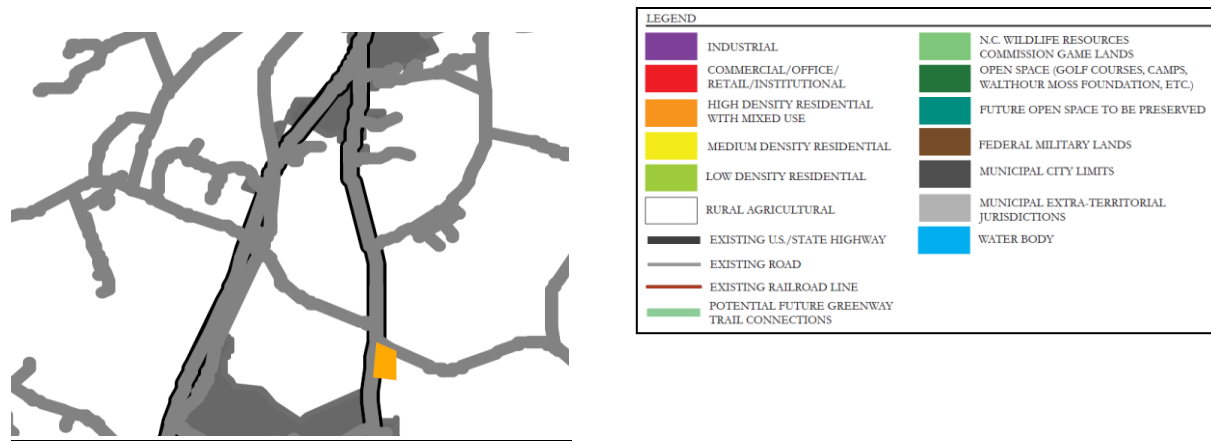
The area surrounding the General Use Rezoning Request includes Residential and Agricultural – 40 (RA-40) and Rural Agricultural (RA).

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The future land map identifies the property as Rural Agricultural Land Use Classification. The primary use of the land is to support rural residential life associated with agricultural uses and other rural activities. Major subdivisions of land are strongly discouraged; however, family subdivisions and subdivisions of four or less lots would be considered.

The request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities), Action 1.8.5: Support and promote infill development that will optimize the use of existing infrastructure.

MOORE COUNTY FUTURE LAND USE MAP



RECOMMENDATION

Staff recommends the Moore County Planning Board make two (2) separate motions:

Motion #1: Make a motion to **Approve** or **Deny** the attached Land Use Plan Consistency Statement to authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend **Approval or Denial** to the Moore County Board of Commissioners of the General Use Rezoning of approximately 42.94 acres from RA-CUD (Farm Use) to Residential and Agricultural – 40 (RA-40)

ATTACHMENTS:

- Photos of Property and Adjacent Properties
- Site Map
- Vicinity Map
- Land Use Map
- Rezoning Map
- Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- Deed Book 1118, Page 415
- Deed Book 1072, Page 111
- Deed Book 5337, Page 91
- Deed Book 5301, Page 400

View of North Bound Blue Siding Road

View of South Bound Blue Siding Rd.



View from North Bound Hwy 22



View of Subject Parcel on Blue Siding Rd.

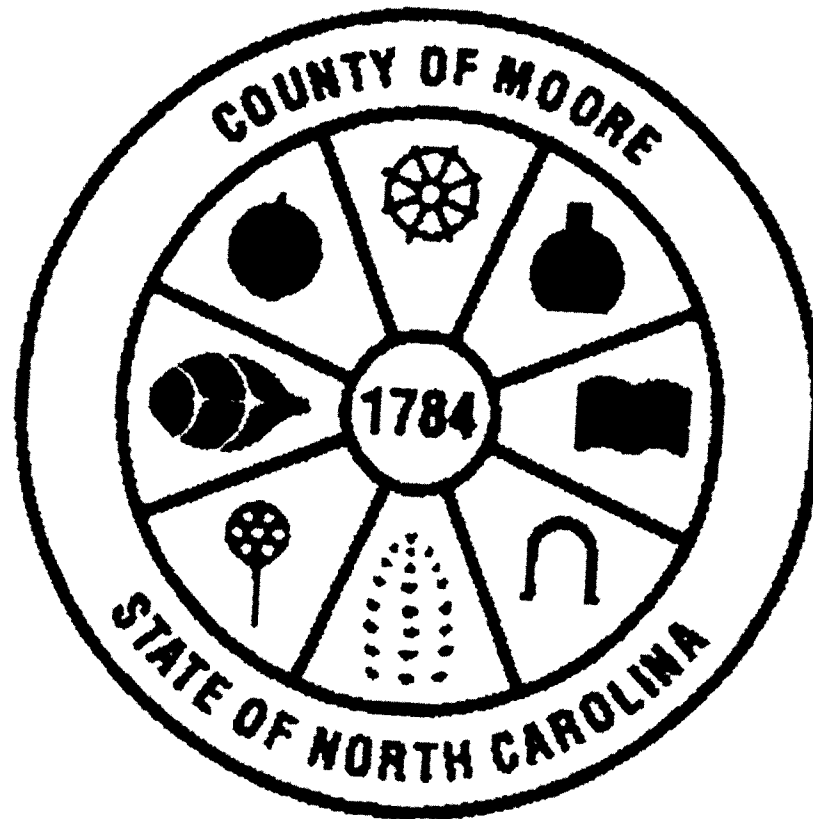


View of Subject Parcel on NC Hwy 22



View of Subject Parcel #00039700





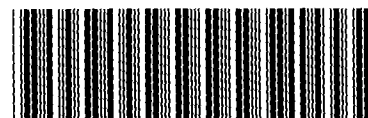
Judy D. Martin

Register of Deeds

Moore County, North Carolina

MAP

FOR REGISTRATION REGISTER OF DEEDS
Judy D. Martin
Moore County, NC
January 16, 2020 08:47:11 AM
Book 18 Page 375-375
FEE: \$21.00
INSTRUMENT # 2020000768



INSTRUMENT # 2020000768

Vicinity Map

LEE COUNTY

N



**THE TOWN OF
CARTHAGE**

Carthage
ETJ

**THE TOWN OF
CAMERON**

Cameron
ETJ

Whispering Pines
ETJ

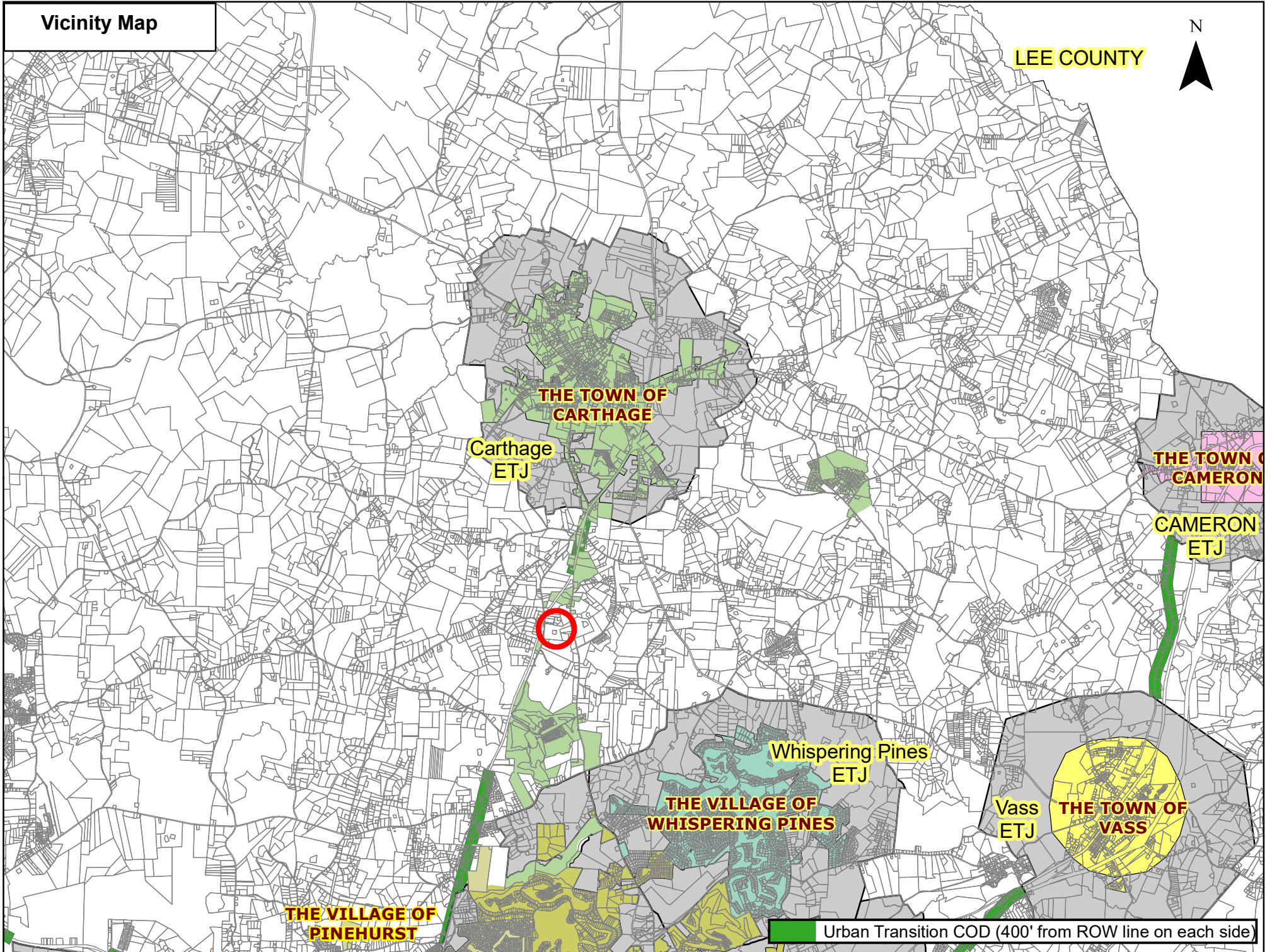
**THE VILLAGE OF
WHISPERING PINES**

Vass
ETJ

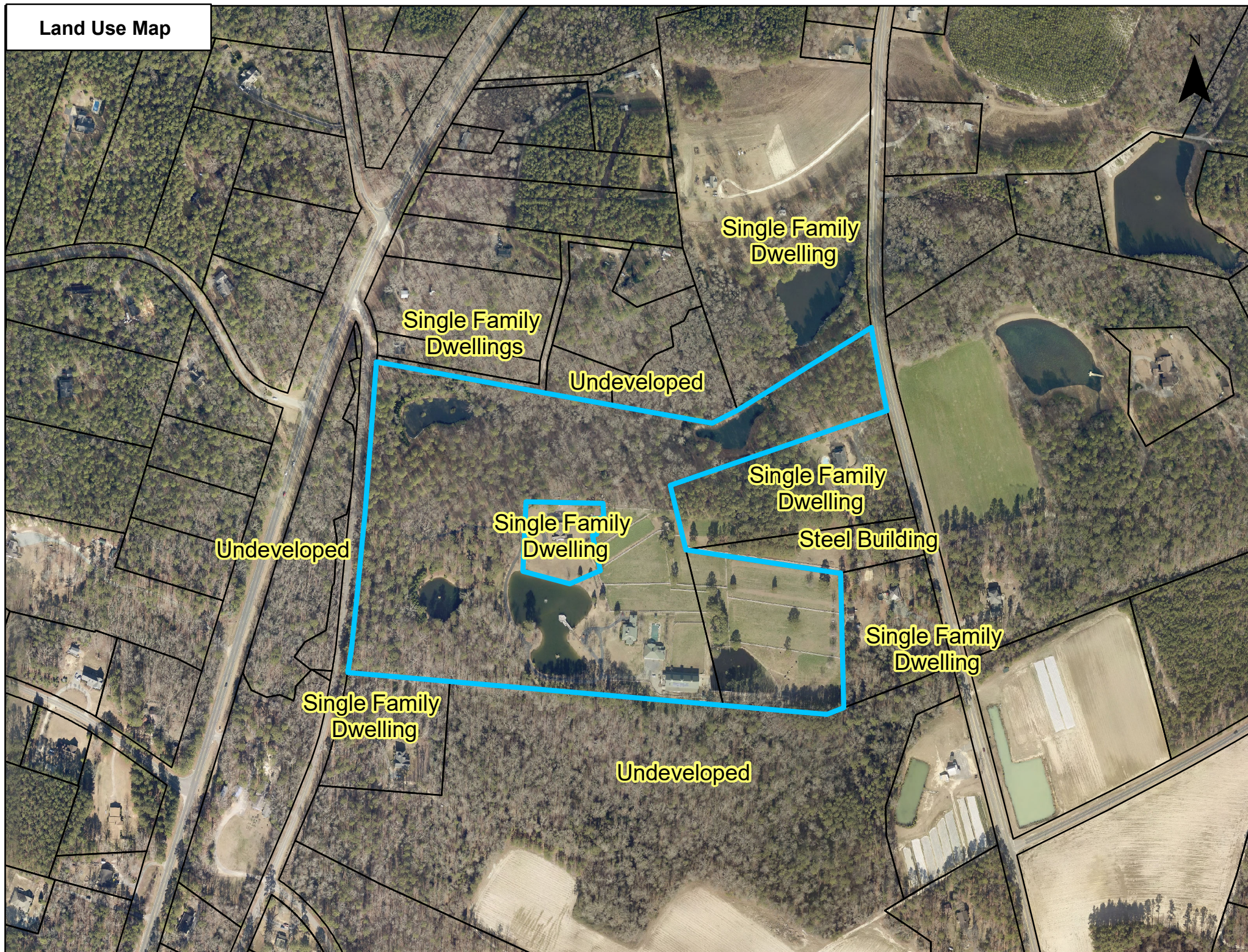
**THE TOWN OF
VASS**

**THE VILLAGE OF
PINEHURST**

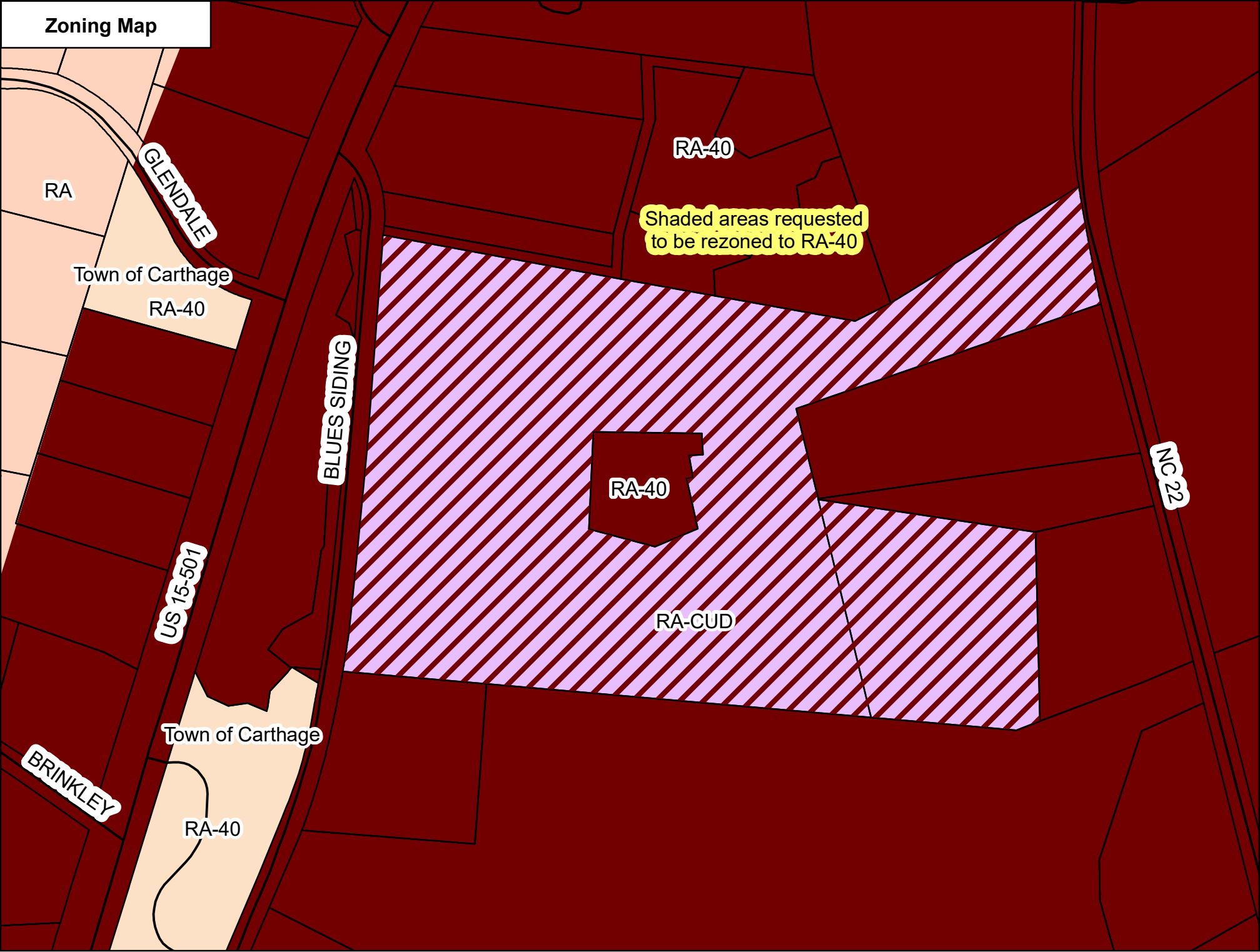
Urban Transition COD (400' from ROW line on each side)



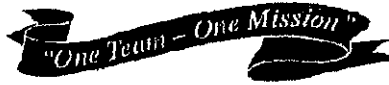
Land Use Map



Zoning Map



**County of Moore
Planning and Transportation**



Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389
Fax: (910) 947-1303

GENERAL USE REZONING APPLICATION

Application Date: 6/12/2020			
Location/Address of Property: Tracts 1,3,4 of Parcel 000036767			
Applicant: Jamie S. Encinosa		Phone: 910-280-6556	
Applicant Address: 165 Blues Siding Rd	City: Carthage	St: NC	Zip: 28327
Owner: Tract 1 Michael and Judy Rowland Tract 3 Matthew and Jamie Encinosa Tract 4 Alex and Lara Hardy		Phone: 910-280-6556	
Owner Address: Tract 3 - 165 Blues Siding Rd	City: Carthage	St: NC	Zip: 28327
Current Zoning District: RA-CUD	Proposed Zoning District: RA-40		
Comments: <u>In 2002, the owners rezoned from RA-40 to RA-CUD for use as a family farm with</u> <u>limited uses. Now that parcel has been subdivided and sold to non-family members.</u> <u>We would like to rezone back to RA-40 which is in harmony with the</u> <u>surrounding area.</u>			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
Tract 3 <u>Jaw S and</u> Applicant/Owner Signature		Tract 4 <u>Matthew and Jamie Encinosa</u> Applicant/Owner Signature	
Tract 1 <u>Michael C. Rowland</u> Applicant/Owner Signature		Date	
Office Use Only: PAR ID: 00036767 <u>Silva Krominger</u> Received By			
<u>6/19/20</u> Date			

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
RA-CUD (Farm Use) to Rural and Agricultural – 40 (RA-40)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.5: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 4: Provide Information and Seek Citizen Participation

- Recommendation 4:1: Promote efforts to involve and inform citizens throughout various planning and permitting processes.
- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
- Action 4.1.2: Utilize various forms of media to help communicate and encourage participation in planning efforts.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning of approximately 42.94 acres from RA-CUD (Farm Use) to Residential and Agricultural – 40 (RA-40)

Joe Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
RA-CUD (Farm Use) to Rural and Agricultural – 40 (RA-40)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.5: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 4: Provide Information and Seek Citizen Participation

- Recommendation 4:1: Promote efforts to involve and inform citizens throughout various planning and permitting processes.
- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
- Action 4.1.2: Utilize various forms of media to help communicate and encourage participation in planning efforts.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning of approximately 42.94 acres from RA-CUD (Farm Use) to Residential and Agricultural – 40 (RA-40)

Joe Garrison, Chair
Moore County Planning Board

Date

PERMITS/INSP PAYMENT RECEIPT# 1127007
COUNTY OF MOORE
206 South Ray Street
Carthage NC 28327

DATE: 06/19/20 TIME: 12:57
CLERK: rdelconte DEPT:
CUSTOMER#: 0
CUSTOMER NAME:
COMMENT:

CHARGES:
30800 ZONING AND ORDINANCE FEES 124.20
30800 ZONING AND ORDINANCE FEES 500.00

AMOUNT PAID: 624.20
PAID BY: ENCINOSA, JAMIE
PAYMENT METHOD: CREDIT CARD 1658

REFERENCE: APP#30262

AMT TENDERED: 624.20
AMT APPLIED: 624.20
CHANGE: .00

OCT 3 11 59 AM '95

MRS. JUDITH M. ADAMS
REGISTER OF DEEDS
MOORE COUNTY, N.C.

BOOK
PAGE
01118 00415

TAX ADDRESS *Same*
RECORDING *#12.00*
STAMP *#12.00*
TOTAL *#24.00*

Excise Stamps \$-0-

Recording Time, Book & Page

Drafted by John M. May, Attorney at Law
No Title Examination
PO Box 370
Pinehurst, NC 28374

Brief Description for Index: 39.56 acres, McNeill Twp.

NORTH CAROLINA GENERAL WARRANTY DEED OF GIFT

Vaughan
THIS GIFT DEED made this 27th day of September, 1995, by and between MICHAEL C. ROWLAND, married (hereafter "Grantor"), of Pinehurst, Moore County, North Carolina, and JUDY S. ROWLAND, married (hereafter "Grantee"), of Pinehurst, Moore County, North Carolina.

WITNESSETH:

The Grantor, in consideration of natural love and affection and other valuable consideration paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in McNeills Township, Moore County, North Carolina, and more particularly described as follows:

A certain tract of land in McNeill Township, Moore County, North Carolina, fronting on the west side of N.C. Hwy. 22 and the east side of N.C.S.R. 1835, being the western

part of the land described in Deed Book 150, Page 42, and having a boundary described as follows: BEGINNING at a set iron pipe on the east bank of Dry Fork Creek (said pipe being South 07 degrees 22 minutes 07 seconds West 562.47 feet from N.C.G.S. monument "SUMMER") and running thence across S.R. #1835, South 80 degrees 25 minutes 45 seconds East 1001.41 feet to an iron pipe by a branch; thence South 80 degrees 28 minutes East 360.24 feet to an existing iron stake (McKenzie's Corner); thence with McKenzie's line North 58 degrees 02 minutes East 740.77 feet to a rail road spike in the center of Hwy. #22; thence with the center of Hwy. #22, the following courses, South 07 degrees 57 minutes East 108.21 feet; South 12 degrees 17 minutes East 87.14 feet; South 13 degrees 39 minutes East 94.24 feet; South 13 degrees 43 minutes East 36.57 feet to a new iron spike; thence on a new line leaving the road, South 70 degrees 00 minutes West 895.75 feet to a new iron pipe; thence on another new line South 14 degrees 21 minutes East 855.41 feet to a new iron pipe set in the line of Sam Blue; thence with his line, North 86 degrees 08 minutes West 1,581.53 feet (crossing S.R. #1835) to an existing iron pipe on the east bank of Dry Fork Creek; thence with the east bank of the creek the following courses: North 51 degrees 48 minutes West 77.44 feet; North 36 degrees 22 minutes East 68.30 feet; North 63 degrees 09 minutes East 82.76 feet; North 06 degrees 34 minutes East 90.59 feet; North 20 degrees 47 minutes East 97.29 feet; North 03 degrees 27 minutes East 168.86 feet; North 08 degrees 58 minutes West 72.41 feet; North 67 degrees 32 minutes East 55.00 feet; North 10 degrees 57 minutes East 253.74 feet; North 12 degrees 02 minutes West 94.82 feet; North 59 degrees 51 minutes West 43.52 feet; North 23 degrees 11 minutes East 121.36 feet; North 11 degrees 29 minutes West 114.56 feet; North 73 degrees 37 minutes East 34.33 feet to the BEGINNING, containing 39.56 acres, more or less, according to surveys by Carl A. Samuelson and Charles D. Ward, both during 1987. For further reference see Deed Book 593, Page 21.

BOOK PAGE
01118 00416

Subject and together with utility easements and restrictive covenants that are enforceable against the property, if any.

The property hereinabove described was acquired by Michael C. Rowland and his wife, Judy S. Rowland, by instrument recorded in Book 954, Page 164, Moore County Registry.

It is the intention of Grantor to dissolve the Tenancy by the Entirety pursuant to G.S. §39-13.3(c), and to vest title to the above described property solely in the name of Judy S. Rowland.

This conveyance is made pursuant to N.C.G.S. Section 39-13.3(c) and it is the intent of Grantor as spouse of the Grantee that the tenancy by the entireties be dissolved and that the Grantee be vested with the property above; provided that it is not the intent of either Grantor or Grantee that the property shall in any way change its status or classification under the provisions of Article I or Chapter 50 of the General Statutes of North Carolina as that status or classification existed immediately before the execution of this conveyance and Grantee executes this instrument to confirm and acknowledge such intent.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions noted herein.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal and the Grantee has hereunto set her hand seal, the day and year first above written.

Michael C. Rowland (SEAL)
MICHAEL C. ROWLAND, Grantor

Judy S. Rowland (SEAL)
JUDY S. ROWLAND, Grantee

BOOK PAGE
01118 00417

NORTH CAROLINA, MOORE COUNTY

I, Notary Public of the County and State aforesaid, certify that Michael C. Rowland, Grantor, and Judy S. Rowland, Grantee, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 2nd day of October, 1995.

My commission expires: 10-2-95

Karen H. Parsons
Notary Public

North Carolina--Moore County

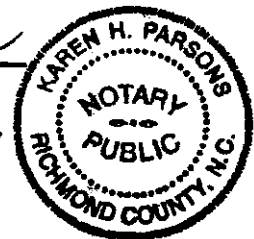
The foregoing certificate of Karen H. Parsons, Notary Public is certified to be correct.

This 3rd. day of October, 1995.

Judith M. Adams, Register of Deeds

Mary R. Phillips

Assistant



MRS. JUDITH M. ADAMS
REGISTER OF DEEDS
MOORE COUNTY, N.C.

NORTH CAROLINA GENERAL WARRANTY

[Instrument prepared by Clifton F Marley, POB 757 Robbins, NC 27325 (940157)]
Index description: Portion EB 582, P 125THIS DEED made this 20 day of Mar, 1995 by and between ROBERT SAMUEL
FRYE et ux SANDRA HASKINS FRYE, GRANTOR, and JUDY SCOTT ROWLAND (Married),
GRANTEE, P. O. BOX 2000, PINEHURST, NORTH CAROLINA 28387.The designation Grantor and Grantee as used herein shall include said parties,
their heirs, successors, and assigns, and shall include singular, plural,
masculine, feminine or neuter as required by context.WITNESSETH, that the Grantor, for a valuable consideration paid by the Gran-
tee, the receipt of which is hereby acknowledged, has and by these presents
does grant, bargain, sell and convey unto the Grantee in fee simple, all that
certain lot or parcel of land situated in McNeill Township, Moore County,
North Carolina, and more particularly described as follows:Parcel A, 6.49 acres, along with a thirty (30) feet wide easement across
Parcel C, all as shown on a map recorded in Plat Cabinet 5, at Slide
719, of the Moore County Registry.

Reference Deed Book 582, Page 125.

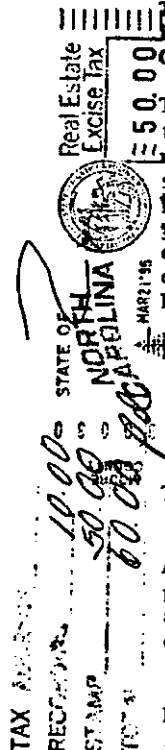
TO HAVE AND TO HOLD the aforesaid land and all privileges and appurtenances
thereto belonging to the Grantee in fee simple.And the Grantor covenants with the Grantee, that Grantor is seized of the
premises in fee simple, has the right to convey same, that title is marketable
and free and clear of all encumbrances, and that Grantor will warrant and
defend the title against the lawful claims of all persons whomsoever except
for the exceptions hereinafter stated.

EXCEPTIONS:

1. Standard utility and public road easements of record.
2. The Grantee is married to Michael C. Rowland.
3. Restrictions to Easement, as follow:

(i) Grantors have the option, at their own expense, to relocate the 30
ft. wide easement, after closing and within eight years of closing, with
the understanding that the reestablished easement shall then be subject
to the same terms and conditions as are set forth herein for the origi-
nal easement; and Rowland shall cooperate with the Grantor in filing an
amended plat reflecting the same;(ii) It shall be the sole responsibility of Rowland and heirs or as-
signs, devisees, grantees, and Personal Representatives to maintain,
repair, and keep the easement in a state of good condition as may be
required in their discretion for their needs of ingress and egress, and
in a reasonably clean manner;(iii) Easement shall be used only for ingress and egress by the immedi-
ate family, guests, and invitees of Rowland or subsequent owners of the
dominant estate; and shall not be considered a public easement or used
for a thoroughfare to the properties of other persons; but shall be

deedjr



105069

01872 00112

940157 Page 2 of 02

(Grantor initials here)

appurtenant to the land, subject to the restrictions hereunder. Owners of the easement may, at their own expense, erect a gate which meets the reasonable prior approval of the subservient estate, with keys shared by the owners of the subservient estate;

IN WITNESS WHEREOF, the Grantor sets hereunto his hand and seal.

Robert Samuel Frye (SEAL)
ROBERT SAMUEL FRYE
Sandra Haskins Frye (SEAL)
SANDRA HASKINS FRYE

NORTH CAROLINA

MOORE COUNTY

I, A NOTARY PUBLIC in and for the abovesaid county and state, do hereby certify that Grantor ROBERT SAMUEL FRYE personally appeared before me this day and acknowledged the due execution of the foregoing INSTRUMENT.

Witness my hand and notarial seal, this 20th day of March, 1995.

My commission expires:
3/4/99
NOTARY PUBLIC
MOORE COUNTY, N.C.

Kim M. Talbert
NOTARY PUBLIC

NORTH CAROLINA

MOORE COUNTY

I, A NOTARY PUBLIC in and for the abovesaid county and state, do hereby certify that Grantor SANDRA HASKINS FRYE personally appeared before me this day and acknowledged the due execution of the foregoing INSTRUMENT.

Witness my hand and notarial seal, this 20th day of March, 1995.

My commission expires:
3/4/99
NOTARY PUBLIC
MOORE COUNTY, N.C.

Kim M. Talbert
NOTARY PUBLIC

North Carolina--Moore County

The foregoing (or annexed) certificate(s) of Kim M. Talbert,
Notary Public, Moore County, State of North Carolina, is/are
certified to be correct. This March 21, 1995.

JUDITH M. ADAMS, REGISTER OF DEEDS

BY: Mary A. Phillips Assistant

deedjr

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

May 29, 2020 2:14:20 PM

Book: 5337 Page: 91 - 93 #Pages: 3

Fee: \$26.00 NC Rev Stamp: \$220.00

Instrument# 2020009007

Stamps: \$220.00This instrument was prepared by: **Sandhills Law Group**, No Title Examination Requested or Performed by Drafting Attorney**NORTH CAROLINA GENERAL WARRANTY DEED****THIS DEED** made this 7th day of May, 2020, by and between,

GRANTOR	GRANTEE
JUDY S. ROWLAND and husband, MICHAEL C. ROWLAND	MATHEW M. ENCINOSA and wife, JAMIE S. ENCINOSA <u>Mailing address:</u> 2075 Juniper Lake Road West End, NC 27376

WITNESSETH:

That the Grantor, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, has given, granted, bargained, sold and conveyed and by these presents does give, grant, bargain, sell and convey to the Grantee, his heirs, successors and assigns, all of that certain tract or parcel of land situate in **Carthage Township, Moore County, North Carolina**, more particularly described as follows:

BEING all of Tract 3, containing 9.69 acres as shown on a plat entitled "Minor Subdivision Survey for Michael C. Rowland, M.D. & Wife, Judy S. Rowland, Division of Rowland Properties" dated January 15, 2020, prepared by John G. Matthews, PLS and recorded in Plat Cabinet 18, Slide 375 in the Moore County Registry. For further reference see Book 1118, Page 415 in the Moore County Registry.

This conveyance is subject to: (i) the Declaration of Restrictions and Covenants, if any, as the same may have been amended; (ii) such matters, provisions and reservations as are shown on the above plat, if any; (iii) the lien for ad valorem taxes or other assessments for the year of closing or conveyance; and (iv) utility and right of way easements of record.

Submitted electronically by "Clarke, Phifer, Vaughn, Brenner & McNeill, PLLC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Moore County Register of Deeds.

The property hereinabove described is ____ or ____ is not the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid described land with all privileges and appurtenances thereunto belonging or in anywise appertaining to the said Grantee, his heirs, successors and assigns, in fee simple forever.

And the said Grantor, for himself and his heirs, successors and assigns, covenants with the said Grantee, his heirs, successors and assigns, that he is seized of the said premises in fee and has the right to convey the same in fee simple; that the same is free and clear from all encumbrances; and that he does hereby forever warrant and will forever defend the said title to the same against the claims of all persons whomsoever, except for the exceptions noted herein.

The designation "Grantor" and "Grantee" as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as "Grantor" and "Grantee".

******The remainder of this page was intentionally left blank******

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, or if Corporate, has caused this instrument to be signed in the Corporate name by its duly authorized officers by authority of its duly elected Board of Directors, or if Limited Liability Company (Company), in its Company name by its duly authorized manager, pursuant to authorization from its members, the day and year first above written.

Judy S. Rowland (SEAL)
JUDY S. ROWLAND

Michael C. Rowland (SEAL)
MICHAEL C. ROWLAND

STATE OF NORTH CAROLINA
COUNTY OF MOORE

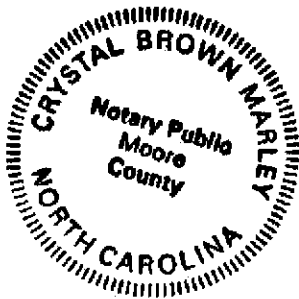
I, CRYSTAL BROWN MARLEY, a Notary Public in and for the County and State aforesaid do hereby certify that JUDY S. ROWLAND and MICHAEL C. ROWLAND personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 20th day of May, 2020.

(NOTARIAL SEAL)

Crystal Brown Marley
NOTARY PUBLIC

My Commission Expires: 3/21/24



FOR REGISTRATION REGISTER OF DEEDS
 Judy D. Martin
 Moore County, NC
 April 03, 2020 04:47:18 PM
 Book 5301 Page 400-402
 FEE: \$26.00
 NC REVENUE STAMP: \$109.00
 INSTRUMENT # 2020005594



INSTRUMENT # 2020005594

Stamps: \$ 109.00

This instrument was prepared by: **Sandhills Law Group**, No Title Examination Requested or Performed by Drafting Attorney

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 27th day of March, 2020, by and between,

<u>GRANTOR</u>	<u>GRANTEE</u>
MICHAEL C. ROWLAND AND WIFE, JUDY S. ROWLAND	ALEX M. HARDY AND WIFE, LARA M. HARDY
	<u>Mailing address:</u> 168 Fallen Leaf Lane West End, NC 27376

WITNESSETH:

That the Grantor, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, has given, granted, bargained, sold and conveyed and by these presents does give, grant, bargain, sell and convey to the Grantee, his heirs, successors and assigns, all of that certain tract or parcel of land situate in **Carthage Township, Moore County, North Carolina**, more particularly described as follows:

Being all of Tract 4 containing 6.22 acres as shown on a plat entitled "Minor Subdivision Survey for Michael C. Rowland, MD and wife, Judy S. Rowland" dated January 15, 2020, prepared by Matthews Land Surveying & Mapping and appearing of record in the Office of the Register of Deed in Plat Cabinet 18, Slide 375 to which record reference is hereby made for a more complete description. For further reference see Book 954, Page 164.

This conveyance is subject to: (i) the Declaration of Restrictions and Covenants, if any, as the same may have been amended; (ii) such matters, provisions and reservations as are shown on the above plat, if any; (iii) the lien for ad valorem taxes or other assessments for the year of closing or conveyance; and (iv) utility easements of record.

Hurley Thompson

The property hereinabove described is ____ or ____ is not the primary residence of a Grantor.

TO HAVE AND TO HOLD the aforesaid described land with all privileges and appurtenances thereunto belonging or in anywise appertaining to the said Grantee, his heirs, successors and assigns, in fee simple forever.

And the said Grantor, for himself and his heirs, successors and assigns, covenants with the said Grantee, his heirs, successors and assigns, that he is seized of the said premises in fee and has the right to convey the same in fee simple; that the same is free and clear from all encumbrances; and that he does hereby forever warrant and will forever defend the said title to the same against the claims of all persons whomsoever, except for the exceptions noted herein.

The designation "Grantor" and "Grantee" as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as "Grantor" and "Grantee".

******The remainder of this page was intentionally left blank******

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, or if Corporate, has caused this instrument to be signed in the Corporate name by its duly authorized officers by authority of its duly elected Board of Directors, or if Limited Liability Company (Company), in its Company name by its duly authorized manager, pursuant to authorization from its members, the day and year first above written.

Michael C. Rowland (SEAL)

Michael C. Rowland

Judy S. Rowland (SEAL)

Judy S. Rowland

STATE OF NORTH CAROLINA

COUNTY OF MOORE

I, CRYSTAL BROWN MARLEY, a Notary Public in and for the County and State aforesaid do hereby certify that **Michael C. Rowland and wife, Judy S. Rowland**, appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 3rd day of April, 2020.

(NOTARIAL SEAL)

Crystal Brown Marley
NOTARY PUBLIC

My Commission Expires: 3/21/24

